

# COUNTY OF YORK

## MEMORANDUM

**DATE:** June 16, 2004 (BOS Mtg. 7/13/04)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. ZM-86-04, Keener's Auto Parts, Inc.

### ISSUE

This application seeks to amend the York County Zoning Map by reclassifying an approximately 2.2-acre parcel of land located on the east side of Commonwealth Drive (Route 1839) across from its intersection with Regal Way in the City of Newport News, from IL (Limited Industrial) to GB (General Business). The property is further identified as Assessor's Parcel No. 36-23.

### DESCRIPTION

- Property Owner: Keener's Auto Parts, Inc.
- Location: 501 Commonwealth Drive (Route 1839)
- Area: 2.2 acres
- Frontage: 180.35 feet on Commonwealth Drive
- Utilities: Public water and sewer available
- Topography: Flat
- 2015 Land Use Map Designation: General Business
- Zoning Classification: IL – Limited Industrial
- Existing Development: None
- Surrounding Development:
  - North: Candlewood Suites hotel
  - East: ADB Auctions
  - South: None
  - West: Regal Cinemas, Ivystone and Miller's Pond single-family attached housing developments across Commonwealth Drive in the City of Newport News
- Proposed Development: None

## **CONSIDERATIONS/CONCLUSIONS**

1. The subject parcel is located in the Kiln Creek area adjacent to the Village Square (Super Kmart) Shopping Center, which is bounded by Victory Boulevard (Route 171), Commonwealth Drive, and Village Avenue. Surrounding development is a mix of commercial and residential uses, including a hotel and, across Commonwealth Drive in the City of Newport News, two housing developments and a movie theatre complex.
2. The Comprehensive Plan designates most of the Commonwealth Drive and Village Avenue corridors for General Business development, while the area immediately to the east of the subject parcel – a mostly undeveloped 84-acre assemblage of parcels between Commonwealth Drive and Route 17 known as the Keener-Cupp-Berrane property – is designated Economic Opportunity. The plan also designates the Keener-Cupp-Berrane property as an Economic Development Priority Area, noting that “Infrastructure improvements to enhance access to this area and extend public utilities could help this area realize its economic development potential, expanding the economic base with revenue-generating office, light industrial, and commercial uses.” The County’s Office of Economic Development, which is working to market this area as a business site, has reviewed this application and supports the requested rezoning, noting its compatibility with the surrounding area and the limited viability of light industrial development in this location.
3. The subject parcel is separated from the adjacent 23-acre parcel to the east, which the applicant also owns, by a drainage ditch approximately twenty feet (20’) in width lying within a 40’ County drainage easement. This ditch serves as a natural buffer between the subject parcel and the Keener-Cupp-Berrane property. There is another drainage ditch on the west side of the subject parcel adjacent to the Candlewood Suites hotel, but it is narrower and shallower; I believe the wider ditch to the east to be a more logical dividing line between GB and IL uses, just as it serves as the dividing line between land designated for General Business and Economic Opportunity in the Comprehensive Plan
4. Although there is no guarantee, it is likely that a hotel will be built on the subject property. Hotels and motels are relatively low traffic generators compared with other retail uses such as restaurants and stores. However, it should also be noted that in general, commercial development typically generates more traffic per acre than does industrial development. Funding for any road improvements to Commonwealth Drive and its intersection with Regal Way necessitated by development in this area – whether in the County or in Newport News – will be shared by the developers on a pro rata basis based on the number of vehicle trips generated by each. The County is working with the City of Newport News to ensure that costs of future road improvements in this area will be shared equitably by property owners on both sides of the city/county line.
5. The subject parcel lies within the Watershed Management and Protection area (WMP) overlay district. Accordingly, any development thereon – regardless of the zoning –

will be required to adhere to the provisions set forth in Section 24.1-376 of the Zoning Ordinance. The developer will be required to submit an impact study addressing stormwater runoff and reservoir protection.

6. One of the Land Use goals of the Comprehensive Plan is to "Consider development patterns and plans established in adjoining jurisdictions when making local land use decisions and designations." Development on the Newport News side of Commonwealth Drive in this vicinity consists of a multi-screen movie theatre, a townhouse development, and a quadruplex development. Land in that part of the city is zoned R5 – Low Density Multiple Family Dwelling, and the city's comprehensive plan designation for this area is Medium Density Multiple Family. Commercial development, especially of the hotel/motel variety, is generally considered more compatible with residential development than is light industrial (with the possible exception of mini-storage warehouses), which can sometimes have low to moderate noise, smoke, and vibration impacts.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its June 9 meeting and, subsequent to conducting a public hearing at which one citizen, the operator of a nearby motel, expressed concern about the proliferation of hotels and motels in the Kiln Creek area and the possible dilution of the lodging market as a result of the construction of another motel, voted 6:0 (Mr. Davis absent) to recommend approval.

#### **COUNTY ADMINISTRATOR RECOMMENDATION**

The net effect of the proposed rezoning would be to shift the existing boundary between General Business and Limited Industrial zoning approximately 180 feet to the south, extending the existing GB zone to include an additional 2.2 acres. It is consistent with the Comprehensive Plan and would provide for development that is more compatible with existing surrounding development on both the York County and Newport News sides of Commonwealth Drive. Because of its location and geographic features, the property is more oriented to the adjacent commercial area of the Villages of Kiln Creek to the north than it is to the vast IL-zoned acreage to the south. Therefore, based on the considerations and conclusions as noted, I recommend that the Board approve this application through the adoption of proposed Ordinance No. 04-20.

Carter/3337:TCC

Attachments

- Excerpts of Planning Commission minutes, June 9, 2004
- Zoning Map
- Survey Plat
- Proposed Ordinance No. 04-20

Copy to: William C. Sears, Income Properties, Inc.